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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/633,178

08/01/2003

Seiichi Kato

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4892

7590

05/13/2004

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EXAMINER

PERKEY, WILLIAM B

ART UNIT

PAPER NUMBER

2851

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/633,178

Applicant(s)

KATO ET AL.

Examiner

William B. Perkey

Art Unit

2851

AW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01-21-04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Abstract

1. The abstract of the disclosure is objected to because it contains more than 150 words. Correction is required. See MPEP § 608.01(b).

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the operation button, speaker, microphone, and strobe disposed near the front side lens of the optical portion (claims 3 and 5); and the cut off of power supply to the camera in cooperation with movement of the optical portion being housed into the inside of the camera body portion and the power supply to the camera is turned on in cooperation with a popping-up movement of the optical portion of claim 6 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1- 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katagiti et al. (U.S. Patent No. 5,426,478) in view of Mizumo et al. (U.S. Patent No. 6,334,030 B1) and Nakagawa (U.S. Patent No. 6,611,663 B2).

Fig. 18 of Katagiri et al. discloses a camera 31; a camera body portion 33 and an optical portion 32 that pops up out of the camera body. The optical portion 32 (strobe unit) is protected by the outside cabinet body of the camera body portion 33, when the optical portion 32 (strobe unit) is in the housed position. Thus, Katagiri et al. shows the claimed invention, except for a display panel portion fixed to the camera body portion and a front side lens in the optical portion. Mizumo et al., in Fig. 2, shows a camera with a LCD display panel portion 13 mounted on the back of a camera. It would have been obvious to one of ordinary skill in the art at the time of applicants invention to provide the camera of Katagiri et al. shown in Fig. 18 with a LCD display portion mounted to the camera body portion in order to obtain the desirable feature of conveying camera setting information to the camera user. Nakagawa, in Fig. 4 shows a camera pop-up strobe unit with a front side Fresnel lens 21. It would have been obvious to one of ordinary skill in the art the time of applicants invention to provide the strobe or flash shown in Fig. 18 of Katagiti et al. with a front side Fresnel lens in order to obtain the desirable feature of a more effective distribution of the light emitted from the strobe unit or optical portion. It is reasonable to refer to the strobe unit as an optical portion, since it typically contains a Fresnel lens. Thus, claims 1 are obvious from the prior art considered as a whole. It appears that the camera in Fig. 18 of Kitagiri et al. is held in a forward leaning posture when taking a picture. Thus, claim 2 appears to contain no patentably distinguishing structural feature. Nakagawa shows a strobe made up of elements 16, 17 and 18 disposed near the front side lens 21. It would have been

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obvious to one of ordinary skill in the art to construct the strobe or optical portion 32 in Fig. 18 of Kitagiri et al. using typical strobe components such as a front side lens as a Fresnel lens 21 and a strobe of elements 16, 17, and 18 shown by Nakagawa in order to obtain the desirable feature of an efficient lighting apparatus. Thus, claim 3 is obvious from the prior art considered as a whole. The outer camera body portion shown in Fig. 18 of Katagiri et al. on the left side where the pop-up strobe unit or optical portion 32 is located, is shown as a grip portion for the right hand of the camera user. Thus, the claim 4 limitation is fully met by the prior art

considered as a whole. Fig. 18 of Kitagiri et al. shows an operation button as release button 34 located at the outer body portion by which the optical portion 32 is protected. Thus, claim 5 is met by the prior art.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 1 above, and further in view of Ikawa et al. (U.S. Patent No. 4,357,087).

The claim limitations are met by the references, as explained above, except for the power supply to the camera being turned off in response to movement of the optical portion. Ikawa et al. discloses a pop-up flash for a camera that turns the power to the flash unit on and off in association with movement of the flash unit. It would have been obvious to provide the pop-up optical unit 32 in Fig. 18 of Katagiri et al. with a movement responsive on/off switch for the strobe unit power supply and thus the "power supply to the camera" in order to obtain the desirable feature of conserving the battery power.

Telephone Numbers

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to William B. Perkey whose telephone number is (571) 272-2126.

The examiner can normally be reached on Monday-Thursday 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (571) 272-2112. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William B. Perkey
Primary Examiner
Art Unit 2851

WBP:wbp